

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Zeh et al

Serial No.: 10/825,915

Filed : April 16, 2004



Art Unit : To be Assigned

Examiner : To be Assigned

For : ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING
AND RELATED METHODS

Date : 11-19-04

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Pursuant to 37 C.F.R § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R § § 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein. In accordance with 37 C.F.R § 1.97 (b) (3), this Information Disclosure Statement is being submitted before the mailing of a first Office Action on the merits. The relevance of the non-English references are as shown in the respective Figures. No translations have been prepared or are within the undersigned's control.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. § § 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R SECTION §1.8

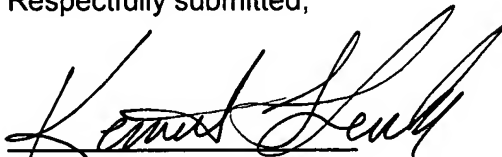
I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this 11/19/2004 date, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Christine Avenoso

Please credit any overpayment or charge any additional fees to Deposit Account No.:
23-0458.

Respectfully submitted,

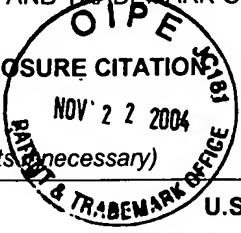
Date: 11-19-04

A handwritten signature in black ink, appearing to read "Kenneth G. Lemke", written over a horizontal line.

Kenneth G. Lemke
Attorney for the Applicant
Reg. No. 47,746

Direct Communications To:

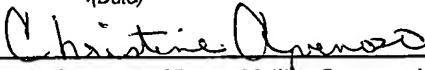
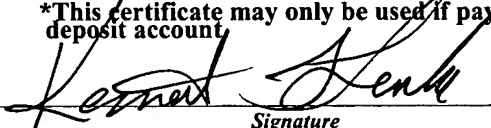
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CUSTOMER NO. 29668

Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 32104		SERIAL NO. 10/825, 915	
INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)				APPLICANT Mark Zeh et al			
				FILING DATE April 16, 2004		GROUP ART UNIT To be assigned	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
		US2441520					
		US 2631762					
		US 2790190					
		US 2900650					
		US 4062635					
		US 4124316					
		US 4128349					
		US 4265560					
		US 4415288					
		US 4580587					
		US 4583563					
		US 4844641					
		US 4919156(A,X6)					
		US 5040553					
		US 5407287					
		US 6241412(B1)					
		US 637522					
		US20030115705(A1)					
		US20040009029A1					
		US2623663A					
		US2683555A					
		US2690858A					
		US2739737A					
		US3521795A					
		US3549057A					
		US3853243A					
		US3956480A					
		US4010871A					

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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				APPLICANT Mark Zeh et al			
				FILING DATE April 16, 2004		GROUP ART UNIT To be assigned	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
		US4039261A					
		US4056110A					
		US4124316A					
		US4155663A					
		US4211341A					
		US4221492A					
		US4223809A					
		US4421252A					
		US4508240A					
		US4521128A					
		US4582075A					
		US4850516A					
		US4850730A					
		US4974748A					
		US4978037A					
		US5017036A					
		US5035385A					
		US5050773A					
		US5123765A					
		US5215218A					
		US5244298A					
		US5439014A					
		US5462377A					
		US5584593A					
		US5599126A					
		US5673880A					
		US5701921A					
		US5799910A					
		US5845813A					
		US5871124A					
		US5909977A					

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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				APPLICANT Mark Zeh et al			
				FILING DATE April 16, 2004		GROUP ART UNIT To be assigned	
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES xNO
		DE10010731A1					
		DE10023725A1					x
		DE19531368A1					x
		DE19805962A1					x
		DE19858309A1					x
		DE20003611U1					x
		DE20012712U1					x
		DE20013158U1					x
		DE20106231U1					x
		DE20215859U1					x
		DE29920816U1					x
		DE3617854A1					x
		DE3711956A1					x
		FR2432848A1					x
		FR2452265A1					x
		FR2515012A1					x
		FR2598300A1					x
		FR2680456A1					x
		FR2837367A1					x
		GB2175799A1(A)					
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
EXAMINER				DATE CONSIDERED			
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.							

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 32104	
In Re Application Of: Mark Zeh et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/825,915	4/16/2004	To be Assigned		TBD	
Title: ORALCOMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING AND RELATED METHODS					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
37 CFR 1.97(b)					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1:53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
37 CFR 1.97(c)					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e); </div>					
OR					
<div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div>					

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 32104	
In Re Application: Mark Zeh et al.						
Application No. 10/825,915	Filing Date 4/16/2004	Examiner To be Assigned	Customer No.	Group Art Unit TBD	Confirmation No.	
Title: ORALCOMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING AND RELATED METHODS						
<p style="text-align: center;">Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</p> <p><input type="checkbox"/> A check in the amount of _____ is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 23-0458 as described below.</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. </p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center;">Certificate of Transmission by Facsimile*</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> _____ (Date) </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> _____ Signature </div> <div style="border: 1px solid black; padding: 5px;"> _____ Typed or Printed Name of Person Signing Certificate </div> </div> <div style="width: 45%;"> <p style="text-align: center;">Certificate of Mailing by First Class Mail</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as <u>first class mail</u> in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-14" <u>11/19/2004</u>. (Date) </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">  Signature of Person Mailing Correspondence </div> <div style="border: 1px solid black; padding: 5px;"> Christine Avenoso Typed or Printed Name of Person Mailing Certificate </div> </div> </div> <p style="margin-top: 10px;">*This certificate may only be used if paying by deposit account.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 45%;">  _____ Signature Kenneth G. Lemke Reg. No. 47,746 Warner-Lambert Company LLC 201 Tabor Road Morris Plains, NJ 07950 Phone 973 385-6243 Fax 973 385-3117 Customer No. 29668 CC: </div> <div style="width: 45%; text-align: right;"> Dated: <u>11-19-04</u> </div> </div>						